

IOWA BOARD OF NURSING HOME ADMINISTRATORS

July 14, 2011

11:00 a.m.

5th Floor Professional Licensure Conference Room 526

Lucas State Office Building

Des Moines, Iowa 50319

Call to Order

Patrice Herrera, vice chair, called the meeting to order at 11:01 am.

Following roll call, all attendees introduced themselves.

Members Present

Michael Svejda, NHA

Mabel Mantel, public member

Patrice Herrera, RN, MSN

Jeannine Bunge, NHA

Shane Gaukel, RN

Thomas Kenefick, R.Ph.

Daniel Boor, NHA

Maureen Cahill, NHA

Members Absent

Joan Skogstrom

Staff Present

Sharon Dozier, board executive

Tammy Hildebaugh, licensure specialist

Barb Huey, bureau chief

Barb Christiansen, administrative assistant

Election of Officers

Kenefick made a motion nominating Patrice Herrera as Chair for 2011-2012. Svejda seconded the motion. Bunge moved, and Mantel seconded that nominations cease. Motion carried. The motion to elect Herrera as chair carried unanimously.

Bunge made a motion nominating Michael Svejda as Vice Chair for 2011-2012. Herrera seconded the motion. Mantel moved, and Bunge seconded that nominations cease. Motion carried. The motion to elect Svejda as chair carried unanimously.

Review Agenda

Dozier noted that under Complaints, Case 11-005 should be deleted.

Approval of Minutes

January 13, 2011- motion to accept by Kenefick, 2nd Mantel, MC

February 18, 2011 (conference call) - Motion to accept Svejda, 2nd Mantel, MC

April 14, 2011- Motion to accept Bunge, 2nd Svejda, MC

April 25, 2011 (conference call) - Motion to accept Mantel, 2nd Kenefick, MC

May 24, 2011 (conference call) - Motion to accept Svejda, 2nd Bunge, MC

June 2, 2011 (conference call) - Motion to accept Mantel, 2nd Svejda, MC

Reports

Executive- Sharon Dozier distributed the board roster for changes or updates on email addresses, etc. She noted that the public roster provides contact information for place of employment or the name of the community only.

Dozier reported on her attendance at the NAB Annual Meeting, held on June 8 - 10. The State Governance and Regulatory Issues Committee worked in groups to discuss and develop recommendations, including a generic disciplinary model, which was then adopted by the NAB Board and will be shared with all states. There was no new information presented specific to survey information, but there was discussion with other board executives who indicated they receive the substandard quality of care information. Svejda asked if all states are receiving this information. Dozier responded that from the discussions at this meeting and the 2010 annual meeting, it appears that most states receive the substandard quality of care information required in the federal regulations. NAB recommends that states be knowledgeable of these regulations. Svejda noted concerns about the substantial time committees expend reviewing the state citations when revisit information is not available. Dozier added that the board typically requests the revisit information, though there have been instances when the board has initiated action prior to receiving this. Following discussion, there was consensus to request that DIA provide the revisit information and the facility response at the time the citation is provided. AAG September Lau stated that since the board routinely pends the citation for revisit information, she will work with AAG Chantelle Smith to request that DIA assist in making the process more efficient.

Bureau Chief- Barb Huey noted that one of the new options the AMANDA system will provide to board members will be a folder that gives access to the DIA citations. This will involve working with DIA to update software and develop a shared system. Huey introduced Barb Christiansen, who has accepted an interoffice transfer to the Bureau of Professional Licensure. Among her duties, Christiansen will be responsible for all travel vouchers and will prepare meeting minutes for all boards. Huey reported that direct deposit into members' bank accounts is now an option for reimbursement.

AAG- September Lau gave the annual review of the written Board Member Guidelines. She highlighted possible conflicts of interest; meeting attendance; preparation and participation in discussions of complaints; confidentiality; hearings and exparte communication; and the need to review the guidance on administrative judicial conduct. Board members can contact Lau at any time with questions about a possible conflict. She added that she and AAG Chantelle Smith, who previously represented the board and works with DIA, will confer on working with DIA to filter the communications the board currently receives on citations.

Chair- Patrice Herrera made the following committee assignments:

Applications: Boor, Mantel and Kenefick
Citation review: Mantel, Kenefick, Cahill and Gaukel
Discipline (no changes): Svejda, Bunge, Skogstrom and Herrera

Committees- Citation Review Committee

Thomas Kenefick referred to a recent Des Moines Register article that he asked be distributed to everyone, which included a reference to the board. A brief discussion followed about the committee's work in reviewing citations.

Applications Committee: Five applications were reviewed. Two of the applicants were approved for work experience; three applicants need further information. Nine criteria must be met for approval.

Old Business

None

New Business

DMACC curriculum: Shirley Sorenson, MS, and Trish Stull, MA, of the DMACC Aging Services Management Program, presented curriculum changes. The DMACC program began in 1970-71, after Congress mandated education for administrators. A handout was distributed, and Sorenson noted that all of the changes to the curriculum are in the practicum section. These changes replicate the five domains in the NAB exam. The changes will be effective in August 2011 – fall semester. Some coursework components are offered online, including the NAB exam review course. The program is now meeting in Building 24 of the DMACC campus. Svejda asked about transferability of courses. Sorenson noted that the program has current articulation agreements with Buena Vista and UNI.

Proposed changes to Iowa Code Chapter 155: AAG September Lau provided her recommended changes on provisional administrators. This change would authorize the board to pursue discipline action on a provisional administrator. Additional technical changes will be presented for review at the October 2011 meeting.

Administrative Rules

The following amendments were reviewed:

For adoption: 645—4.3(5) Board meetings shall be governed in accordance with Iowa Code chapter 21, ~~and the board's proceedings shall be conducted in accordance with Robert's Rules of Order, Revised.~~

Dozier reported that this is a common rule and all boards noticed the rule. No public comments were received, and the boards may now adopt. Motion to adopt the amendment: MM Herrera, 2nd Mantel, MC, unanimous.

For notice: Amendment to 645—141.9(147,155) License renewal. 141.9(1) The biennial license renewal period for a license to practice nursing home administration shall begin on January 1 of each even-numbered year and end on December 31 of the next odd-

numbered year. All licensees shall renew on a biennial basis. ~~The board shall send a renewal notice by regular mail to each licensee at the address on record at least 60 days prior to the expiration of the license.~~ The licensee is responsible for renewing the license prior to its expiration. Failure of the licensee to receive the notice does not relieve the licensee of the responsibility for renewing the license.

Dozier noted that all rules are now submitted for pre-clearance to the Governor's Office. This amendment is being approved for notice by all boards. Consensus was given to notice.

For notice: Amendment to 645—144.2(13)

Conviction of a crime related to the profession or occupation of the licensee or the conviction of any crime that would affect the licensee's ability to practice ~~as a nursing home administrator.~~ within the profession, regardless of whether the judgment of conviction or sentence was deferred. A copy of the record of conviction or plea of guilty shall be conclusive evidence.

Dozier noted that all boards are asked to adopt this amendment based on a recommendation by the AG Office. Consensus was given to notice.

Public Comment

None

Applications

The Applications Committee previously gave their report. The list of licenses issued was reviewed.

A motion was made by Cahill to move into closed session under authority of Iowa Code sections 21.5(1)(a) and (d); and 155.17(3), to discuss confidential materials, complaints, and examination information. Second by Mantel; roll call vote of the board members present:

Michael Svejda, yes
Mabel Mantel, yes
Patrice Herrera, yes
Jeannine Bunge, yes
Shane Gaukel, yes
Thomas Kenefick, yes
Daniel Boor, yes
Maureen Cahill, yes

The board moved into closed session at 12:22 pm. The board returned to open session at 1:00 pm. The following actions were taken:

Motion to accept the Statement of Charges as drafted, in Case 09-011: MM Mantel, 2nd Cahill, MC, unanimous.

Motion to accept the Statement of Charges as drafted, in Case 09-009: MM Svejda, 2nd Gaukel, MC, unanimous.

Remaining 2011 Board Meetings

The upcoming meeting and hearing dates were discussed. The hearings and board meeting are scheduled for October 13, 2011.

2012 Board meetings

January 12, 2012

April 12, 2012

July 19, 2012

October 11, 2012

Adjournment

Motion to adjourn. MM Mantel, 2nd Bunge, MC 1:12 pm.

The minutes were approved by the board on October 13, 2011.